



Minutes Tempe Aviation Commission January 9, 2018

Minutes of the Tempe Aviation Commission meeting held on January 9, 2018, 6:30 p.m., at the Public Works Conference Room, Garden Level, City Hall Complex, 31 E. Fifth Street, Tempe, Arizona.

(MEMBERS) Present:

Lane Carraway (Chair)
Robert Dixon
W. David Doiron
Shannon Dutton
Gordon Gauss
Valeriy Khaldarov
John Q. Nunes

Guest Present

Jordan D. Feld, Deputy Aviation Director - Planning & Environmental, City of Phoenix Aviation Department

City Staff Present:

Oddvar Tveit, *Environmental Quality Specialist*

(Members) Absent:

Robert Miller (Excused)
Troy Selland (Excused)

Agenda Item 1 – Call to Order

Mr. Lane Carraway called the meeting to order at 6:30 p.m.

Agenda Item 2 – Public Appearances

There were no public appearances.

Agenda Item 3 Election of Officers

Candidates for the chair and vice-chair for 2018 were nominated at the December 2017 meeting. Mr. Unless the members had additional nominations Lane Carraway suggested proceeding with the election and asked for or a motion to elect the candidate for the office of chair.

Motion: Mr. W. David Doiron moved to elect Lane Carraway as commission chair for 2018. Ms. Shannon Dutton seconded the motion.

Action: Mr. Lane Carraway was elected to continue in the office of chair for 2018 by a unanimous vote.

Chair Lane Carraway asked for motion to elect John Q Nunes for the office of vice-chair for 2018.

Motion: Mr. Robert Dixon moved to elect John Q. Nunes as vice-chair for 2018. Mr. W. David Doiron seconded the motion.

Action: Mr. John Q Nunes was elected as new vice chair for 2018 by a unanimous vote.

Agenda Item 4 – Consideration of Meeting Minutes (December 12, 2017)

Chair Lane Carraway asked for comments to the drafted meeting minutes, and a motion to approve.

Motion: Ms. Shannon Dutton moved to approve minutes as drafted and Mr. Robert Dixon seconded the motion.

Action: The December 12, 2017 commission meeting minutes were approved by a unanimous vote.

Mr. John Q Nunes referenced the update in the December meeting minutes about the President's Unmanned Aerial Systems (UAS) Integration Pilot Program, and announced that the FAA had accepted the application for Arizona's participation in program. Mr. Oddvar Tveit stated that the city had received an e-mail from the FAA confirming that Tempe had been added to the list of interested parties.

Agenda Item 5 Update from the City of Phoenix Aviation Department

1. The Joint Motion to solve the Phoenix/FAA lawsuit.

Mr. Jordan Feld informed about the agreement to settle the lawsuit with the FAA over the September 18, 2014 flight path changes. The FAA has yet to publicly announce dates for public meetings, but the expectations are that public meetings will be held as open house meetings between 5 to 8:00 p.m. on February 6, 7 and 8th, 2018. The first two in west Phoenix and the last one in north Phoenix. The public comment period will be limited for the agreed upon process:

- Step One, hold community meetings and return the west departures to their original corridors by April 1.
- Step Two, based on community feedback in Step 1, potentially look at other route/procedure modifications unrelated to west departures.

The agreement requires that the FAA asks the whole community within a 15-mile radius of the airport what concerns they have with PHX air traffic operations, which includes the September 18, 2014 flight path changes and other concerns the community has regarding PHX air traffic operations. He encouraged the members to:

- Develop formal comments that include all of Tempe's concerns over how PHX air traffic operations are conducted.
- Include maps, numbers, complaints etc. in the comments to make it clear to the FAA what Tempe's PHX air traffic issues are. Focus on issues that can be explained/addressed under FAA rules (like NEPA).
- A public hearing provides the opportunity to propose that the FAA to add waypoints or make other adjustment to Performance Based Navigation (PBN) routes to reduce the noise impact.

The number and content of received comments by the FAA during Step One of the process at or after the public meetings period, will in theory determine how the environmental review process for Step Two will be conducted by the FAA; whether the new routes end up being subject to categorical exclusion ("CATEX") from a detailed environmental review.

The plan is for the FAA to review comments relating to the Step One part of the process in mid-February and on April 1, 2018, start implementing the west departure route conversion to pre-September 18, 2014 configurations. Completing the Step One route changes is expected to go through the end of May.

If this plan is not successful, Phoenix can within a specified date file a motion to have the court uphold the ruling to vacate all the routes that were published on September 18, 2014.

Questions:

- Will residents who cannot make the public meetings be able to submit comments?
The FAA will include the project web page under the PHX NextGen Metroplex [website](#) with an e-mail address to submit comment during the Step One community involvement period.
- Will any means of enforcing new procedures be available, e.g. will airlines become subject to any monetary penalties?

It is virtually impossible to create penalties under current law. Even San Diego, which has a grandfathered program, cannot assess penalties at a level that is effective for preventing airline deviations. A few US airports can impose fees on noise mitigation violations, but have not been as effective a tool as at European airports. The Aircraft Noise Capacity Act limited the ability of airports to impose new flight/noise restrictions.

Discussion:

- Even if the FAA's focus is on the west side of the airport, the commission should discuss optimizations to aircraft routings over Tempe, and not shy away from proposing changes to how PHX Performance Based Navigation (PBM) procedures are designed.
 - The commission would need to involve legal and air traffic expertise to make comments that the FAA will consider.
 - It is about where planes are flying and what National Environmental Policy Act and FAA guidance require the FAA to look at, and not exclusively to address impacts close to the airport within the area covered by 65 DNL noise exposure contour line.
2. Commission staff has been contacted for input on the RFP for the PHX noise and flight track monitoring system provider. He will also be asked to sit on the selection committee.

Follow-up: Staff would list what issues the Commission has been concerned about regarding RNAV routing inside Tempe airspace.

Agenda Item 6 – Commissioners' Business

- Update on the FAA's implementation of the agreement with Phoenix and outreach conducted in Phoenix.
- Tour of PHX TRACON.

Agenda Item 7 – Schedule Next TAVCO Meeting

Action: The members agreed to a special meeting on February 1, 2018 to prepare comments for the community outreach agreed upon between the FAA, the City of Phoenix and the Phoenix Neighborhood Coalition. Next regular meeting was scheduled for February 13, 2018 at 6:30 p.m.

Agenda Item 8 – Adjournment

Motion: W. David Doiron moved to adjourn the meeting. Mr. Robert Dixon seconded the motion.

Action: The meeting was adjourned at 7:58 p.m. by a unanimous vote.

Prepared by: Oddvar Tveit

Reviewed by: Justin Bern